

EASTERN DISTRICT OF TEXAS

CIVIL ACTION NO. 1:11-CV-226

Respondent.

The court has conducted a *de novo* review of the objections asserted by petitioner. After careful consideration, the court is of the opinion that the objections are without merit. As petitioner's grounds for review are not based on his having been convicted of a nonexistent offense and are not based on retroactively applicable Supreme Court decisions, *Reyes-Requena v. United States*, 243 F.3d 893, 904 (5th Cir. 2001), prevents his grounds for review from being asserted in a petition for writ of habeas corpus filed pursuant to 28 U.S.C. § 2241.

ORDER

Accordingly, petitioner's objections are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge is **ADOPTED**. A final judgment will be entered denying this petition for writ of habeas corpus.

SIGNED at Beaumont, Texas, this 25th day of July, 2011.

A handwritten signature in cursive script, reading "Marcia A. Crone".

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE